

DETAILS OF BYWATERS' WEDDING ARE TOLD

Continued from First Page.

"I put two balls in him." The witness told of taking the body from the house and unimportant happenings in the house after the tragedy.

"Did anyone try to conceal anything or keep silent that night?"

"No, indeed, every one seemed anxious to tell all," replied the witness.

Deputy Sheriff J. A. Powers told of the bullet marks on the woodwork of the staircase, porch, and window.

Deputy Bowersett said there were indications that the shooting was done in Mrs. Bywaters' room. Parts of the blind were found on the floor and bullets were buried in the wall.

Undertaker M. Thompson, who went to "Strotherwood" with Coroner Lewis on the night of the shooting, was the next witness. He told of the thirteen wounds on the body and the condition of the rooms.

Jury Will Visit Scene.

Mr. Keith announced that the jury would be taken to the scene of the tragedy immediately after dinner.

Attorney Lee arose and asked what was the prosecution's plan about calling Mrs. Viola Bywaters as a witness.

He said Mrs. Bywaters was under subpoena and it was essential to her health that she be called soon.

Commonwealth Attorney Keith announced that, in view of the fact that the prosecution had not been allowed to interview Mrs. Bywaters, she would not be called as a witness for the State.

Will Not Permit Interview.

Mr. Lee replied: "So long as my voice and the voices of my colleagues control this situation, that young woman shall never be interviewed by any man unless in the company of one of her female relatives. That opportunity has

always been open to the prosecution. We will put her on the stand and let the jury see her pitiable condition and hear the story from her own lips."

Mr. Keith said he did not care to interview Mrs. Bywaters in the presence of a witness for the defense. He reiterated that he would not call Mrs. Bywaters, because he had no idea as to what would be the nature or effect of her testimony.

Judge Harrison said he would clear the court room of spectators when Mrs. Bywaters went on the stand.

John G. Lennon, the next witness, said he lived near the Strother home and heard the shooting. Witness said Philip Strother admitted that he killed Bywaters. When asked by Lennon if his conscience didn't hurt him, Philip replied: "Not a bit in the world. I would do the same thing over again."

James said: "I want you to understand that I did some of that shooting. I did my duty."

Lennon said he found Bywaters alive on the roof.

Above the voice of the witness could be heard the sobs of Bywaters' father as the son's death struggle and calls for "mother" and water were told by the witness.

The aged man buried his face in his handkerchief and wept even after the witness left the stand.

James Strother Weeps.

James Strother wept as the story was told. When the witness touched on a conversation in Mrs. Bywaters' room James hung his head and cried like a child.

"After the shooting Jim leaned over and kissed and hugged Viola," said the witness. "She cried and said, 'Jim, I feel like a bound dog to you, but I will tell all, all.' She wrung her hands and said, 'Can you ever lift up my head again?' Jim said, 'No you can't live in Culpeper after this.'"

State and Defense's Opening Arguments

CULPEPPER, Va., Feb. 26.—The prosecuting counsel and the defense made their opening arguments late yesterday afternoon, thus formally beginning the trial of Philip and James Strother for the murder of William F. Bywaters on the night of December 15.

Relying solely upon the "unwritten law" to safeguard them from the hangman's noose, the Strother brothers, through their attorneys, laid bare every possible fact, and, in effect, asked "Would you not have done the same thing?"

Never has a story that excited so much interest or sympathy for an accused person been told in this State. The dramatic love story was told from its beginning, when a boy in knickerbockers and a girl in gingham made mud pies together to its unhappy and tragic culmination in a homicide.

No pretense was made to hide the details of the treatment accorded Bywaters on that fateful night, nor was any act of the defendants overlooked. The Strother brothers made a frank and open confession that they slew their brother-in-law, but insist that it was the only thing for them to do.

Effigy of Bywaters.

With tear-dimmed eyes the hoary-headed father of the Strothers' victim sat in court a few feet from the witness stand and saw the waxen-faced manikin arrayed in his son's clothing, pierced by bullets and blood-stained. Beside the manikin stood County Coroner Dr. E. H. Lewis, who placed a lead pencil in the bullet holes and told the jury the effect of each of the thirteen wounds inflicted on Bywaters' body. Dr. Lewis explained his connection with the case, and said Bywaters would not have lived more than a few minutes at the most. It was established by him that there were blood stains inside the room, and that at the time the shooting occurred a window was near the window, through which it is insisted that Bywaters jumped.

R. H. Pearson identified and explained the meaning of several photographs.

Sheriff A. W. Pulliam said the pistols with which the man was killed were handed to him. He said his wife is related to the Strothers. Witness said he was not hindered by the Strothers in his investigation of the shooting.

"Rain of Shots."

Robert L. Johnson, who lived near the Strother home, said he heard a woman scream, a loud knocking, and a "rain of shots."

Notice of Application for Charter

Notice is hereby given of the intention of the undersigned to apply to the Commissioners of the District of Columbia, on the 18th day of March, 1907, at 10 o'clock a. m., for a charter of incorporation under the provision of an act of Congress entitled "An Act to Provide for the Incorporation of Trust, Loan, Mortgage, and certain other corporations within the District of Columbia," approved October 1, 1890, and embraced in subchapter 14 of the Code of the District of Columbia.

The name of the proposed company shall be "The United States Trust Company."

The company is to be organized for the purpose of doing general trust, loan, and mortgage business, and such other business as may be authorized by said Act of Congress.

The names of the proposed incorporators are:

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a pure girl of one of Virginia's best families, the attempted renunciation by Bywaters, the tortures and agonies of the girl, heartrending disclosures at the family homestead and the tragic death meted out to the bridegroom while the marriage vows were still warm upon his lips, was told in dramatic and impressive style.

"Twelve miles from town," said Mr. Jeffries, "there lived a genial, lovable young man, William Bywaters. Three miles south was the home of his cousin, the Strothers, composed of parents, five boys, and three girls. There he was welcome any hour of the day or night and trusted implicitly by all. With the baby of the family, Viola Strother, he fell in love."

Laughed at Girl's Tears.

"Will Bywaters was related to the Strothers, his father and the mother of the girl to whom he was making love being cousins. Viola loved him for years, and loved him until he drew his final breath. But Will Bywaters was lacking in the proper appreciation of the virtue of a pure woman. Instead of this appreciation he had a disregard for everything sacred to a woman, and debauched and disgraced the woman who had trusted her fate to his hands and sacrificed her on the altar of shame. When she made known to him the fact that she was in a pitiable condition and implored him to amend as far as possible the wrong he had done her, he laughed at her appeal."

"On October 15 she went to Washington, telling her relatives she intended visiting a school friend and purchasing her winter suit. It was while she was down there that a criminal operation was performed on her. It was unsuccessful."

Suspicion Aroused.

"While she was at home after that visit her relatives became suspicious. Phil Strother and Bywaters, who was visiting at the house, got from one room to another in scant attire, and immediately went to Will's room. Phil had his hands on his revolver, and intended shooting Bywaters. He realized that there would be no one to tell the story, and that his suspicions would have to be aired to the public. He replaced his pistol, sought his married sister, Mrs. Nellie Gaines, and asked her to talk with Viola."

Viola Warned Bywaters.

"Viola knew what the conference was about and we will show you that she

told Bywaters that her name and his name had been mentioned, and will prove that she wrote a letter to Bywaters, designed to throw her relatives off the track. In this letter she requested that parts of it be shown to her brother and sister."

"After writing this letter Viola realized that the full disclosure was near at hand and again renewed her entreaties for a speedy marriage. Bywaters again took her to Washington. There he not only submitted her to the most fearful physical pain and agony but risked her dear young life and his own rather than do the right thing."

"We will show you that he never intended marrying this girl whose he had cast into the cesspool of public shame. And we contend that no power on earth could have made him marry her except the point of a pistol. He took her to Washington during the latter part of November for another criminal operation, and immediately after it deserted her, saying he thought he would go to Middleburg for a visit."

"We will prove to you that as this trusting girl in this pitiable plight was mounting the steps of a doctor's office in Washington she broke down, wept, and again begged for a marriage, crying out, 'I would rather die than do this.' She turned to the man responsible for her condition and said, 'Will, after this is all over and I have recovered, if I ever do, you will forget me. You will drift away.' His reply was further urgings, and she consented."

Deserted in Washington.

"With life hanging between heaven and earth, too weak almost to put foot before foot, she was taken to a hotel where she was registered under an assumed name as the wife of the man who had brought her to this sad plight. With her life hanging in the balance, this man forsook her and returned to Culpeper, leaving her without a nurse or friend."

"While the two were in Washington, Mrs. Gaines and Phil went there to look for them. Phil had heard that the doctor's office was visited. Inquiry was made there, but the doctor's wife denied that the couple had been there. After Mrs. Gaines and Phil left the doctor's wife called up Bywaters at the hotel and told him of the visit of the brother and sister of Viola. Bywaters urged the doctor to do all he could, saying, 'If anything happens to this girl my life will have to answer for it.'"

"Against the protest of the doctor Bywaters brought that girl home, because

he knew her relatives were closing in on him.

"Philip summoned his brothers to Culpeper to get an explanation from Bywaters. When Bywaters visited the house French Strother wanted to kill him, but was calmed shortly when Bywaters and Viola begged him not to shoot. Bywaters made promises, but French said he had no faith in him, and said he would kill Bywaters if something wasn't done. Bywaters promised to marry the girl in order, as he said, that he might nurse, love, and protect her. French told Bywaters he would kill him if he deserted Viola. Bywaters said he wanted to be killed if he deserted her."

Brothers Promised Money.

"The brothers of this girl told Bywaters they would contribute \$2,500 on which the two could start and be relied upon to furnish more."

"Immediately after the marriage, when he thought he had covered up the disgrace, he announced that he was going to town. He was reminded that he said he wanted to remain with her, nurse her, and love her, but these had no effect on him. He said he wanted to get some marriage cards and attend to some other business. Time and again he repeated this, but the brothers protested. Finally he said he wanted to go home and tell his mother of the wedding. He insisted on this, and Phil had the horse hitched up and was about to take him to his mother's home."

"When Mrs. Gaines came to the house, Bywaters then said: 'Nellie can take care of Viola. I'm going to town.' Nellie replied that she had three small children to care for, and could not remain. Bywaters insisted on leaving. Mrs. Gaines told Bywaters she thought he was the 'commonest dog in the State.' Phil Strother then told Bywaters what he thought. Bywaters answered them that he intended leaving the house and no one could keep him in the house. He made a move toward Phil, as if to cut him with a knife."

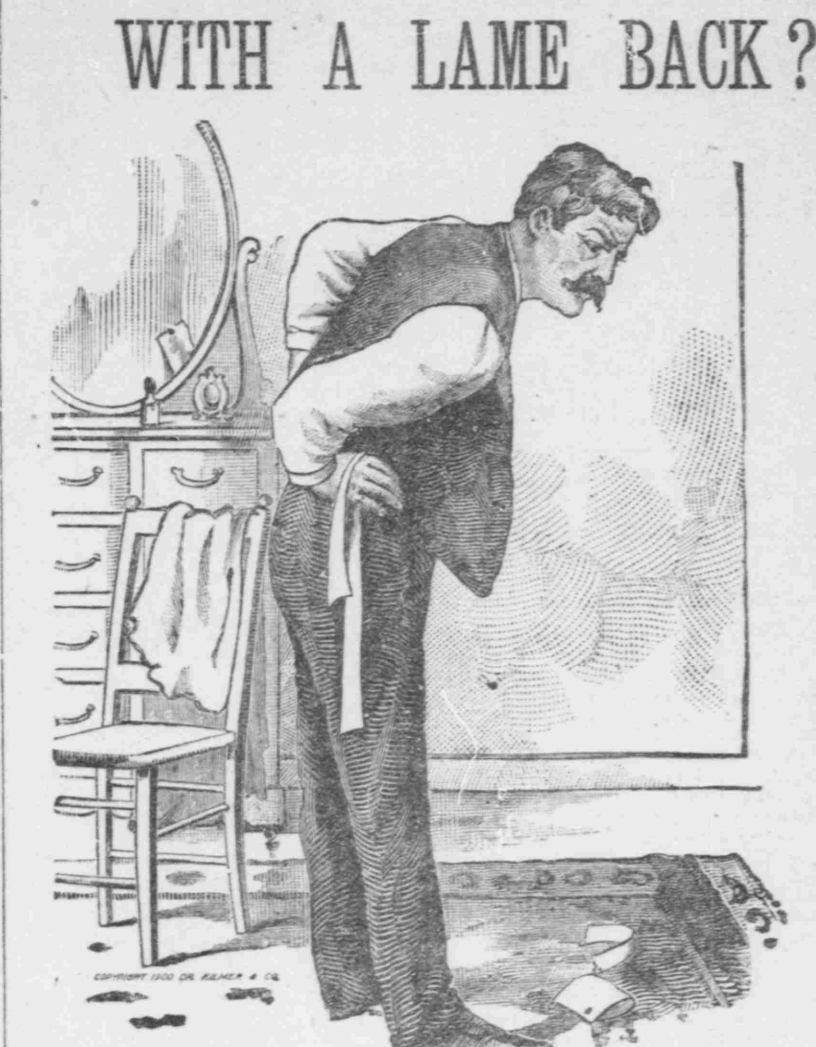
Bride Summons Husband.

"Mrs. Gaines then took her husband out of the room. Bywaters announced again that he intended leaving and was told that he could not leave the house. At this moment the bride of less than an hour sent for Bywaters."

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"While the wife was embracing Bywaters, Mrs. Gaines came to the door. Bywaters jumped up, rushed past her, and dashed down the steps. Mr. Gaines met him at the bottom and forced him back into Viola's room. As soon as he reached the center of the room he leaped through a window on to the porch, and it was there he was shot."

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